

In The United States District Court
For The Western District of Virginia
Charlottesville Division

Sines, et al, Plaintiffs vs,
Kessler, et al, Defendants
Civil Action 3:17-cv-00072

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

MAY 26 2022

JULIA G. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

Sworn Declaration of Christopher Cantwell
Dated 5-17-2022

I, Christopher Cantwell, do aver under penalty of perjury that the following is true and correct, on this 17th day of May 2022

- 1.) At mail call on Friday 4-29-2022 I gave Intelligence Research Specialist Kathy Hill a 9x12 envelope addressed to this Court with 11 forever stamps and a certified mail label numbered 7021 2720 0001 8199 0346
- 2.) That envelope contained 17 pages, and I indicated this in writing on the envelope. There was a 3 page declaration, ~~AA~~ a print out of an electronic staff request, aka "Cop-Out" and a 13 page motion for time to reply to Plaintiffs omnibus opposition, or in the alternative, said reply, this included an inserted page "7.5" necessitated by my remembering an important detail after completing the handwritten document.
- 3.) At mail call on Monday 5-2-2022 Mr. Simpkins gave me the response from the central office to my BP-11 Administrative

Remedy Appeals, including the issue regarding my legal documents being kept from me.

- 4.) That reply stated that I had to bring the issue back to the Regional office with a letter from a staff member confirming that I was only given the BP-9 response in January of 2022.
- 5.) Accordingly, I gave the papers back to Mr. Simpkins and asked him to get that letter to me. He indicated that he would do so.
- 6.) At mail call on 5-3-2022 I was given ECF # 1587, postmarked 4-29-2022, and dated 4-26-2022.
- 7.) At mail call on 5-4-2022 I was given ECF 1586 postmarked 4-27-2022.
- 8.) Later in the afternoon of 5-4-2022 Mr. Simpkins provided me the memos referenced in paragraph 4.
- 9.) As noted in Mr. Simpkins' memo, the Central Office rejection was received by USP Marion on April 18th, but was not delivered to me until the following month.
- 10.) At mail call on 5-5-2022 I was given ECF 1584 and 1583.

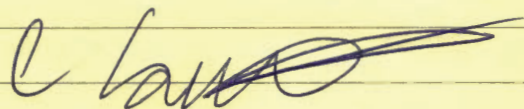
- 11.) At mail call on 5-5-2022 I gave Ms. Hill a 9x12 envelope weighing 7 ounces with 6 forever stamps addressed to the B.O.P. Regional Director containing my administrative Remedy appeals including the ongoing problem of my legal mail being kept from me.
- 12.) At mail call on 5-9-2022 I gave USP Marion Staff an envelope containing my appeal of ECF 1588 and Opposition to Plaintiffs' motions for fees and costs, dated 5-5-2022 and totalling 6 pages.
- 13.) At mail call on 5-9-2022 I was given ECF 1590, granting Plaintiffs' motion for time to reply to Defendants' opposition to Plaintiffs' motions for attorney fees and costs, until May 31.
- 14.) At mail call on 5-11-2022 Mr. Simpkins gave me the Certified mail receipt from Paragraph 1, but it was not postmarked. I asked Mr. Simpkins why, and he took it back and said he'd look into it.
- 15.) At mail call on 5-12-2022 Mr. Simpkins gave me back the certified mail slip, still lacking a postmark, stapled to a USPS tracking printout stating the item departed Richmond, VA on May 12th at 1:40am.

16.) At mail call on 5-17-2022 I was given ECF 1572, Plaintiffs' Opposition to Defendants' motion Challenging Punitive Damages award. The document was dated 4-13-2022, postmarked 5-3-2022, and scheduled for delivery 5-7-2022.

17.) On my commissary order delivered on 5-17-2022, I again ordered the elusive typing wheel needed to use the typewriters here. I was instead charged and given a typing ink ribbon cassette, which is useless without the typing wheel. The typing wheels have been unavailable for the entirety of my 11 months at this facility and there is no indication they will ever be restocked.

Having so averred, I sayeth no more under oath.

Respectfully Submitted,
Christopher Cantwell
5-17-2022



REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: MARCH 18, 2022

FROM: ADMINISTRATIVE REMEDY COORDINATOR
CENTRAL OFFICE

TO : CHRISTOPHER CANTWELL, 00991-509
MARION USP UNT: I QTR: I03-013L
P.O. BOX 2000
MARION, IL 62959

FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 1096954-A1 CENTRAL OFFICE APPEAL
DATE RECEIVED : FEBRUARY 25, 2022
SUBJECT 1 : COMMUNICATION MANAGEMENT UNIT
SUBJECT 2 : OTHER LEGAL
INCIDENT RPT NO:

REJECT REASON 1: YOU SUBMITTED YOUR REQUEST OR APPEAL TO THE
WRONG LEVEL. YOU SHOULD HAVE FILED AT THE
~~INSTITUTION~~, REGIONAL OFFICE, ~~CENTRAL~~
OFFICE LEVEL.

REJECT REASON 2: CONCUR WITH RATIONALE OF REGIONAL OFFICE ~~AND/OR INSTITUTION~~
FOR REJECTION. FOLLOW DIRECTIONS PROVIDED ON PRIOR REJECTION
NOTICES.

REJECT REASON 3: SEE REMARKS.

REMARKS : IF STAFF PROVIDE A MEMO STATING THE LATE FILING WAS
NOT YOUR FAULT, THEN RE-SUBMIT TO THE LEVEL OF THE
ORIGINAL REJECTION.

RECEIVED
APR 18 2022
BY *MLW*



**U.S. Department of Justice
Federal Bureau of Prisons**

United States Penitentiary

4500 Prison Road
Marion, IL 62959

May 4, 2021

MEMORANDUM FOR ALL CONCERNED

FROM:

N.S. AS
N. Simpkins, Case Manager

SUBJECT:

**CANTWELL, Christopher
Register #00991-509
Administrative Remedy #1096954-A1**

Please accept this memorandum for the attached documents for Christopher Cantwell #00991-509. He was given this Rejection Notice yesterday on May 3, 2022 stating that he needed a staff memo. The late filing was not his fault but due to the fact that he was out on Writ when this mail came in. He is correct on the dates he stated for when he was gone and when he received his once he came back.

It also appears that our institution received your most recent rejection notice on April 18, 2022, however It didn't make it back to myself until May 2, 2022.

Thank you in advance for your time.

If you have any questions pertaining to this subject, please do not hesitate to contact me at (618) 964-1441, ext. 1360.



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OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$

Sent To: Western District VA Fed Court
Street and Apt. No., or PO Box No. 155 West Main Street Rm 304
City, State, ZIP+4® Charlottesville VA 22902

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

FAQs >

Another Package +

Tracking Number: 70212720000181990346

Remove X

Your item departed our USPS facility in RICHMOND VA DISTRIBUTION CENTER on May 12, 2022 at 1:40 am. The item is currently in transit to the destination.

USPS Tracking Plus® Available ∨

Departed USPS Regional Facility

May 12, 2022 at 1:40 am
RICHMOND VA DISTRIBUTION CENTER

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Text & Email Updates ∨

Tracking History ∨

USPS Tracking Plus® ∨

Product Information ∨

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 - USPS Tracking® included for domestic and many international destinations
 - Limited international insurance.**
 - When used internationally, a customs declaration form is required.
- *Insurance does not cover certain items. For details regarding claims exclusions see the Domestic Mail Manual at <http://pe.usps.com>.
 ** See International Mail Manual at <http://pe.usps.com> for availability and limitations of coverage.

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TRACKED ■ INSURED



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	usps.com \$8.95 US POSTAGE Flat Rate Env	9405 5036 9930 0239 8149 58 0008 5000 0056 2959	U.S. POSTAGE PAID <small>Class of Service</small>
	05/03/2022	Mailed from 10118 10001000	
PRIORITY MAIL 3-DAY™		Expected Delivery Date: 05/07/22	0004
ROBERTA KAPLAN KAPLAN HECKER & FINK LLP 350 5TH AVE STE 7110 NEW YORK NY 10118-7110			
SHIP CHRISTOPHER CANTWELL, 00991-509 TO: U.S. PENITENTIARY, USP MARION P O BOX 2000 MARION IL 62959-9011			
USPS TRACKING #			
		9405 5036 9930 0239 8149 58	
Electronic Rate Approved #038555749			

R005

ALL FROM
OPPOSING COUNSEL